

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CONSTANCE BELL,

*Plaintiff,*

v.

NANCY A. BERRYHILL,  
*Acting Commissioner of the Social  
Security Administration,*

*Defendant.*

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**CIVIL ACTION**

**No. 15-6696**

**ORDER**

**AND NOW**, this 13<sup>th</sup> day of April, 2017, upon careful and independent consideration of Plaintiff's Request for Review and the response thereto, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, as well as Plaintiff's Objections to the Report and Recommendation, it is hereby **ORDERED** that:

1. The Report and Recommendation (Doc. No. 18) is **APPROVED** and **ADOPTED**;
2. Plaintiff's Request for Review is **GRANTED**;
3. Plaintiff's Objections to the Report and Recommendation (Doc. No. 19) are **OVERRULED**;<sup>1</sup>
4. This case is **REMANDED** to the Social Security Administration for further proceedings consistent with Judge Rice's Report and Recommendation; and
5. The Clerk of Court shall mark this case **CLOSED**.

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<sup>1</sup> Plaintiff raises a "limited objection" related solely to the proposed order remanding this case to the Social Security Administration. Plaintiff requests that my order remanding this case "include instructions to the Commissioner to calculate and pay benefits for the period September 2012 through December 2013." (Pl.'s Objections at 3.) On this limited point, I agree with the Government that, although Judge Rice concluded that the ALJ's determination of Plaintiff's disability onset date was not supported by substantial evidence, Judge Rice did not explicitly find that Plaintiff was entitled to benefits based upon an alternative disability onset date (i.e., August 29, 2012). (Def.'s Resp. at 2.) Therefore, Plaintiff's objections will be overruled, and the case will be remanded for further proceedings in accordance with the Report and Recommendation.

**BY THE COURT:**

/s/ Mitchell S. Goldberg

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**MITCHELL S. GOLDBERG, J.**